

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Faith S. Hochberg
v. : Criminal No. 08-821 (FSH)
ALEXEY ZAPOLSKY : SCHEDULING AND CONTINUANCE ORDER

This matter having come before the Court on the joint application of Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (by Lee D. Vartan, Assistant U.S. Attorney), and defendant Alexey Zapolsky (by Robert Warmington, Esq.), for an order setting the briefing and trial schedules in this matter and for an order granting a continuance of the proceedings in this matter:

IT IS ORDERED that defendant shall file any motions no later than January 9, 2009;

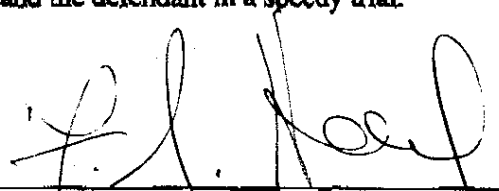
IT IS FURTHER ORDERED that any reply to defendant's motions shall be filed no later than February 9, 2009;

IT IS FURTHER ORDERED that argument of any motions filed shall be February 16, 2009;

IT IS FURTHER ORDERED that the trial in this matter is set for March 3, 2009; and

IT IS FURTHER ORDERED that the period from December 5, 2008 through March 3, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974 because: (1) the parties are preparing to engage in preliminary discussions concerning entering into a plea agreement, and the defendant desires additional time to review discovery, and both the

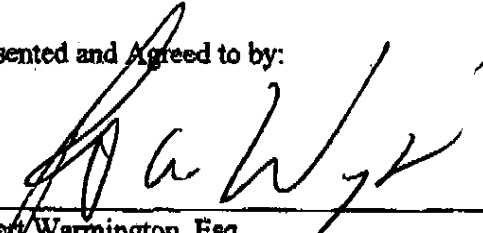
United States and the defendant seek additional time to pursue such discussions, which may render trial of this matter unnecessary; (2) the defendant has consented to the continuance; (3) the grant of a continuance will likely conserve judicial resources; and (4) pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.



HON. FAITH S. HOCHBERG
United States District Judge

12/9/08

Consented and Agreed to by:



Robert Warmington, Esq.
Counsel for defendant Zapolsky

Leo D. Vartan
Assistant U.S. Attorney